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Attorneys for Liberty Utilities (Litchfield Park Water & Sewer) Corp.

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION OF  
LITCHFIELD PARK SERVICE COMPANY,  
AN ARIZONA CORPORATION FOR A  
DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANTS AND PROPERTY AND  
FOR INCREASES IN ITS WASTEWATER  
RATES AND CHARGES BASED THEREON  
FOR UTILITY SERVICE.

DOCKET NO: SW-01428A-13-0042

Arizona Corporation Commission

DOCKETED

MAY 30 2014

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
LITCHFIELD PARK SERVICE COMPANY,  
AN ARIZONA CORPORATION FOR A  
DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANTS AND PROPERTY AND  
FOR INCREASES IN ITS WATER RATES AND  
CHARGES BASED THEREON FOR UTILITY  
SERVICE.

DOCKET NO: W-01427A-13-0043

**NOTICE OF COMPLIANCE**

Liberty Utilities (Litchfield Park Water & Sewer) Corp. (the "Company") hereby submits this Notice of Compliance pursuant to Decision No. 74437 (Apr. 18, 2014). Decision No. 74437 directs the Company to submit for Commission approval five additional Best Management Practices ("BMPs") tariffs as reflected in the Staff Engineering Report dated September 26, 2013. The proposed BMPs are attached as **Exhibit A.**

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RESPECTFULLY SUBMITTED this 30th day of May, 2014.

FENNEMORE CRAIG, P.C.

By: \_\_\_\_\_

Jay L. Shapiro  
Todd C. Wiley  
Attorneys for Liberty Utilities  
(Litchfield Park Water & Sewer) Corp.

**ORIGINAL** and 13 copies filed  
this 30th day of May, 2014, with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

**COPY** hand-delivered  
this 30th day of May, 2014 to:

Teena Jibilian, Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

Robin Mitchell, Esq.  
Matthew Laudone, Esq.  
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Arizona Corporation Commission  
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Utilities Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

1 **COPY** sent via U.S. mail  
2 this 30th day of May, 2014, to:

3 Dan Pozefsky, Esq.  
4 Residential Utility Consumer Office  
5 1110 W. Washington St., Suite 220  
6 Phoenix, Arizona 85007

7 Olivia Burnes  
8 356 N. Cloverfield Circle  
9 Litchfield Park, Arizona 85340

10 By:   
11 9188362.1

# **EXHIBIT A**

<u>Liberty Utilities (Litchfield Park</u>				
<u>Water &amp; Sewer) Corp.</u>	<u>All Service Areas</u>	Revised	SHEET NO	
<u>SW-01428A-13-0042, et al.</u>				

## **Special Events/Programs and Community Presentations Tariff –** **BMP 1.2**

### **PURPOSE**

A program for the Company to give presentations and/or display and make available water conservation information and related material at community and special events (Modified Non-Per Capita Conservation Program BMP Category 1: Public Awareness/Public Relations 1.2: Special Events/Programs and Community Presentations).

### **REQUIREMENTS**

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company shall attend and staff at least three events per year in which the Company shall remind customers of the importance of water conservation measures. Events may include home and garden shows, art shows, community celebrations, environmental shows etc.
2. Information shall include water saving tips, home preparation recommendations for water systems/pipes, landscape maintenance issues for summer and winter, Xeriscape information, youth education materials and any additional pertinent topics.
3. The Company shall keep a record of the following information and make it available to the Commission upon request.
  - a. A description of each special event and the date.
  - b. The number of customers reached (or an estimate).
  - c. A description of the written water conservation material provided free to customers.
  - d. Costs of the Special Events/Programs and Community Presentations implementation.

<b>ISSUED:</b>		<b>EFFECTIVE:</b>
	ISSUED BY: <u>Greg Sorensen, Operator</u> <u>Liberty Utilities (Litchfield Park Water &amp; Sewer) Corp.</u>	
	<u>12725 W. Indian School Road, Ste. D-101</u> <u>Avondale, Arizona 85392</u>	

<u>Liberty Utilities (Litchfield Park</u>				
<u>Water &amp; Sewer) Corp.</u>	<u>All Service Areas</u>	Revised	SHEET NO	
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## **Landscape Consultation (Residential and/or Non-residential) Tariff – BMP 3.2**

### **PURPOSE**

A program for the Company to promote water conservation by providing landscape consultation services to residential and non-residential customers (Modified Non-Per Capita Conservation Program BMP Category 3: Outreach Services 3.2: Landscape Consultations (Residential and/or Non-residential)).

### **REQUIREMENTS**

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company or its designated provider shall offer landscape consultations to residential and non-residential customers. The consultations shall include, but are not limited to the following:
  - a. Irrigation system evaluation.
  - b. Controller programming/irrigation scheduling.
  - c. Information about low water use plants, trees, and shrubs.
  - d. Information about converting to xeriscape/turf conversion possibilities.
  - e. Information about related programs (i.e., rebates for turf removal/ converting to xeriscape) if available will be offered during the consultation.
  - f. As part of the consultation, and if requested to do so by the customer, the Company shall confirm the accuracy of the customer meter (applicable meter testing fees shall apply).
2. During the consultation, the Company or its designated provider shall provide either on-site written suggestions or on-site verbal suggestions with written follow-up.
3. The Company shall keep a record of the following information and make it available to the Commission upon request.
  - a. A description of the landscape consultation information provided to customers.
  - b. The number of landscape consultations provided to customers.
  - c. Costs of the Landscape Consultation Program.

<b>ISSUED:</b>		<b>EFFECTIVE:</b>
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## **Customer High Water Use Inquiry Resolution Tariff – BMP 3.6**

### **PURPOSE**

A program for the Company to assist its customers with their high water-use inquiries and complaints (Modified Non-Per Capita Conservation Program BMP Category 3: Outreach Services 3.6: Customer High Water Use Inquiry Resolution).

### **REQUIREMENTS**

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company shall handle high water use inquiries as calls are received.
2. Calls shall be taken by a customer service representative who has been trained on typical causes of high water consumption as well as leak detection procedures that customers can perform themselves.
3. Upon request by the customer or when the Company determines it is warranted, a trained Field Technician shall be sent to the customer's residence to conduct a leak detection inspection and provide the customer with water conservation measures. The leak detection inspection may consist of a meter read check for flow verification. If the on-site inspection is requested by the customer, the Commission approved meter re-read tariff fee shall apply.
4. The Company shall follow up in some way on every customer inquiry or complaint and keep a record of inquiries and follow-up activities.

<b>ISSUED:</b>		<b>EFFECTIVE:</b>
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## **Customer High Water Use Notification Tariff – BMP 3.7**

### **PURPOSE**

A program for the Company to monitor and notify customers when water use seems to be abnormally high and provide information that could benefit those customers and promote water conservation (Modified Non-Per Capita Conservation Program BMP Category 3: Outreach Services Program 3.7: Customer High Water Use Notification).

### **REQUIREMENTS**

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company shall track water usage for each customer and notify the customer if water use seems excessive for that particular billing for that time of the year.
2. The Company shall identify customers with high consumption and investigate each instance to determine the possible cause.
3. The Company shall contact the high water use customers via telephone, email, by mail or in person. The Company shall contact the customer as soon as practical in order to minimize the possible loss of water. The customer will not be required to do anything to receive this notification.
4. In the notification the Company shall explain some of the most common water usage problems and common solutions and points of contact for dealing with the issues.
5. In the notification, the customer will be reminded of at least the following water-saving precautions:
  - a. Check for leaks, running toilets, or valves or flappers that need to be replaced.
  - b. Check landscape watering system valves periodically for leaks and keep sprinkler heads in good shape.
  - c. Adjust sprinklers so only the vegetation is watered and not the house, sidewalk, or street, etc.
  - d. Continue water conservation efforts with any pools such as installing covers on pools and spas and checking for leaks around pumps.
6. In the notification, the customer will also be reminded of at least the following ordinary life events that can cause a spike in water usage:
  - a. More people in the home than usual taking baths and showers.
  - b. Doing more loads of laundry than usual.
  - c. Doing a landscape project or starting a new lawn.
  - d. Washing vehicles more often than usual.

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7. The Company shall provide water conservation information that could benefit the customer, such as, but not limited to, audit programs, publications, and rebate programs.
8. The Company shall assist the customer in a self-water audit and assist the customer in determining what might be causing the high water usage as well as supply customer with information regarding water conservation and landscape watering guidelines. As part of the water audit the Company shall confirm the accuracy of the customer meter if requested to do so by the customer (applicable meter testing fees shall apply).
9. The type of notification, the timing of the notification (i.e., how long after high water use was discovered by the Company), and the criteria used for determining which customers are notified shall be recorded and made available to the Commission upon request.

ISSUED:		EFFECTIVE:
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## **WATER SYSTEM TAMPERING TARIFF – BMP 5.2**

### **PURPOSE**

The purpose of this tariff is to promote the conservation of groundwater by enabling the Company to bring an action for damages or to enjoin any activity against a person who tampers with the water system.

### **REQUIREMENTS**

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission, specifically Arizona Administrative Code ("AAC") R14-2-410 and the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. In support of the Company's water conservation goals, the Company may bring an action for damages or to enjoin any activity against a person who: (1) makes a connection or reconnection with property owned or used by the Company to provide utility service without the Company's authorization or consent; (2) prevents a Company meter or other device used to determine the charge for utility services from accurately performing its measuring function; (3) tampers with property owned or used by the Company; or (4) uses or receives the Company's services without the authorization or consent of the Company and knows or has reason to know of the unlawful diversion, tampering or connection. If the Company's action is successful, the Company may recover as damages three times the amount of actual damages.
2. Compliance with the provisions of this tariff will be a condition of service.
3. The Company shall provide to all its customers, upon request, a complete copy of this tariff and AAC R14-2-410. The customers shall follow and abide by this tariff.
4. If a customer is connected to the Company water system and the Company discovers that the customer has taken any of the actions listed in No. 1 above, the Company may terminate service per AAC R14-2-410.
5. If a customer believes he/she has been disconnected in error, the customer may contact the Commission's Consumer Services Section at 1-800-222-7000 to initiate an investigation.

ISSUED:		EFFECTIVE:
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